

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. **YO999-440US3**
 Anticipated Classification of this Application
 Class: _____ Subclass: _____
 Prior Application: **10/295,531** filed: **November 15, 2002**
 Prior Application: **09/546,355** filed: **April 10, 2000**
 Patent No. **(6,558,475)** Issued: **May 6, 2003**
 Examiner: **Not yet assigned** Art Unit: **Not yet assigned**

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a _____ continuation-in-part _____ continuation **XXX** divisional application under 37 CFR 1.53(b), of pending prior application, Serial No. **10/295,531** filed on **November 15, 2002**, and Serial No. **09/546,355**, filed **April 10, 2000**, now U.S. Patent No. **6,558,475**, issued on **May 6, 2003** of **Jesse Steven Jur; Kenneth J. McCullough; Wayne Martin Moreau; John Patrick Simons; and Charles Jesse Taft** for **APPARATUS AND PROCESS FOR SUPERCRITICAL CARBON DIOXIDE PHASE PROCESSING**.

The filing fee is calculated below:

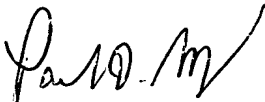
| CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW | | | | |
|---|--------------|--------------|-----------|-----------------------|
| FOR | NUMBER FILED | NUMBER EXTRA | RATE | BASIC FEE \$770.00 |
| TOTAL CLAIMS | 4 - 20 = | 0 | x \$18.00 | \$0 |
| INDEPENDENT CLAIMS | 1 - 3 = | 0 | x \$86.00 | \$0 |
| MULTIPLE DEPENDENT CLAIM FEE | | x \$280.00 = | | |
| TOTAL FILING FEE | | \$770.00 | | |
| 1/2 FILING FEE FOR SMALL ENTITY | | N/A | | |

1. _____ A check in the amount of \$ _____ is enclosed.
 - or -
1. _____ No fee enclosed – filing by missing parts.
2. **XXX** The Commissioner is hereby authorized to charge the amount of \$770.00 for the filing fee and any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 50-0510**. A duplicate copy of this Form is enclosed.
3. **XXX** Cancel in this application original claim(s) **1 through 29** of the prior applications before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.).
4. _____ A new oath or declaration, new formal drawings and an affidavit or declaration verifying it as a true copy is enclosed.

5. XXX Amend the specification by inserting before the first line the sentence: ---This is a _____ continuation, XXX division, of application serial nos. 10/295,531, filed November 15, 2002 and 09/546,355, filed April 10, 2000 (now U.S. Patent No. 6,558,475, issued on May 6, 2003)---.
6. XXX The prior application is assigned of record to: International Business Machines Corporation.
7. XXX The power of attorney in the prior application is to: International Business Machines Corporation.
- a. The power appears in the original papers in the prior application.
- b. Address all future communications to : **PAUL D. GREELEY, ESQ.**
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8. _____ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.).
9. XXX Priority of application Serial Nos. 10/295,531 filed on November 15, 2002 and 09/546,335, filed April 10, 2000 (now U.S. Patent No. 6,558,475, issued on May 6, 2003) in the United States are claimed under 35 U.S.C. §120.
10. XXX Information Disclosure State with PTO-1449.
11. XXX I hereby verify that the attached papers are a true copy of prior application Serial Nos. 10/295,531 as originally filed on November 15, 2002 and 09/546,355 as originally filed on April 10, 2000 (now U.S. Patent No. 6,558,475, issued on May 6, 2003).

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

January 21, 2004
(Date)

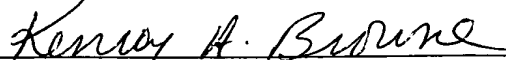


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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. EL999555285US, service under 37 CFR §1.10 and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 21, 2004.

KENROY A. BROWNE
(Name of person mailing paper)



(Signature of person mailing paper)